



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 599	Assembly Substitute Amendment 1, and Assembly Amendments 1 and 2
Memo published: March 4, 2002	Contact: William Ford, Senior Staff Attorney (266-0680)

ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Substitute Amendment 1 to 2001 Assembly Bill 599 (the “substitute amendment”) revises procedures counties are required to follow when selling real property that the county has acquired because property taxes have not been paid on that property.

Under *current law*, counties must provide public notice of an upcoming sale of tax delinquent real property. This public notice must include the appraised value of the property to be sold. The statutes authorize a county to sell the property to the person who makes the most advantageous bid, but requires the county to reject any bid that is less than the appraised value of the property.

The *substitute amendment* authorizes a county to sell tax delinquent real property for less than the appraised value if:

1. The first attempt to sell the property does not result in a bid that is at least equal to the appraised value of the property;
2. The county readvertises the sale of the property; and
3. The county finance committee reviews and approves the sale.

The difference between the substitute amendment and the original bill is that the substitute amendment requires the county to readvertise the sale of real property before selling it at less than appraised value and also requires the county finance committee to approve the sale. The original bill did not contain these provisions.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 provides that, if tax delinquent real property is sold by a county for an amount that is less than the amount of the highest bid for that property, the county finance committee of that county must prepare a written statement, available for public inspection, that explains the reason for accepting a bid that is less than the highest bid.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 requires that the appraisal of tax delinquent real property that is required if the property is to be sold by a county must be performed by a “certified appraiser” as defined in s. 458.01 (7), Stats.

A “certified appraiser” is an appraiser certified by the Real Estate Appraisers Board as either a general appraiser or a residential appraiser. A “residential appraiser” is an individual who conducts appraisals of residential or commercial real property with a value of not more than \$250,000. A general appraiser is an individual who conducts appraisals of both commercial and residential real property of any value. Both residential and commercial appraisers are required to attend educational courses and to pass an examination conducted by the Department of Regulation and Licensing.

The substitute amendment was adopted and recommended by the Assembly Committee on Ways and Means by a vote of Ayes, 12; Noes, 0, on February 4, 2002. Assembly Amendments 1 and 2 were adopted by the Assembly, by a voice vote, on February 26, 2002.

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